

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-02-0418 GEB GGH P

vs.

FERNANDO LOPEZ-CUEVAS,

Movant.

ORDER

On November 23, 2009, respondent filed a motion for an order finding a waiver of attorney client privilege and to require disclosures from prior counsel. Generally, when a defendant attacks the actions or inaction of his trial counsel in a § 2255 motion, any attorney-client privilege is waived with respect to information pertinent to the allegations. Movant (Lopez-Cuevas) is ordered to file a response to the request for the waiver of attorney client privilege.

Accordingly, IT IS HEREBY ORDERED that within fourteen days of the date of this order, movant shall file a response to respondent's motion for a waiver of attorney client privilege.

DATED: November 24, 2009

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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